



Highlights of [GAO-03-550](#), a report to the Ranking Minority Member, Committee on Health, Education, Labor and Pensions, U.S. Senate

## Why GAO Did This Study

In the 2000-01 school year, more than 91,000 special education students were removed from their educational settings for disciplinary reasons. Under the Individuals with Disabilities Education Act (IDEA), schools are required to provide educational services to special education students who are removed from their educational settings for more than 10 days in a school year.

The Committee's Ranking Minority Member asked GAO to determine where disciplined special education students are placed, the extent to which local school districts continue educational services for these students, and how the U.S. Department of Education provides support and oversight for special education disciplinary placements. To address these objectives, GAO conducted a study, using surveys and site-visits, of special education disciplinary placements in three states—Illinois, Maryland, and North Carolina.

## What GAO Recommends

GAO recommends that the Secretary of Education issue supplemental guidance to state and local education agencies to assist them in implementing IDEA's disciplinary provisions.

[www.gao.gov/cgi-bin/getrpt?GAO-03-550](http://www.gao.gov/cgi-bin/getrpt?GAO-03-550).

To view the full report, including the scope and methodology, click on the link above. For more information, contact Marnie Shaul at (202) 512-7215 or [shaulm@gao.gov](mailto:shaulm@gao.gov).

## SPECIAL EDUCATION

# Clearer Guidance Would Enhance Implementation of Federal Disciplinary Provisions

## What GAO Found

In the districts and schools in the three states GAO studied, disciplined special education students were primarily placed in in-school suspension rooms or out-of-school suspensions at home, according to survey respondents. These short-term settings were used most frequently because most of the special education students in these schools and districts were removed from their regular educational settings for periods of 10 days or less, according to respondents. Special education students who were removed for longer than 10 days were primarily placed in alternative schools or homebound placements. In addition to considering the length of the student's removal when deciding where to place disciplined special education students, school and district officials considered the cost and availability of placement options and the nature of the student's offense and corresponding disciplinary action.

Schools and school district officials in the three states reported that they provided a range of services to disciplined special education students. However, how the schools and school districts provided these services varied significantly. For example, some school districts used self-paced instructional packages to provide educational services to disciplined special education students. Other school districts, however, used tutoring by special education instructional personnel to provide educational services for similar students. In addition to educational services, some disciplined special education students had access to other services such as counseling.

The Department of Education provided guidance and oversight to states and school districts for special education disciplinary placements by providing information on federal requirements and reviewing state self-assessments, improvement plans, and data and conducting on-site data collection visits in selected states. However, according to some state and local officials, this guidance has not been specific enough. In particular, the regulations do not provide illustrative examples specifying whether the days of in-school suspension should be counted as days of removal under the 10-day rule. In addition, Education's IDEA oversight system may not detect possible noncompliance because it relies on state monitoring efforts, including state self-assessments and discipline data that have been shown to contain some inaccuracies. Education's next generation of its oversight system has recently been approved by the department and will be implemented in calendar year 2003. This new oversight system includes a component to validate data used by the system to make federal oversight decisions.